



SIDNEY L. STRICKLAND, JR.
Associate General Counsel

BNSF Railway Company
Law Department
700 13th Street NW, Suite 220
Washington, DC 20005-5915

Telephone: 202-347-8667
Fax: 202-347-8675
E-mail: Sidney.Strickland@BNSF.com

213849

VIA UPS OVERNIGHT MAIL

April 21, 2005

Honorable Vernon A. Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

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Office of Proceedings

APR 22 2005

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**Re: Surface Transportation Board Docket No. AB-6 (Sub-No. 414X); BNSF Railway Company
("BNSF") Abandonment between Lookout, California and Hambone, California**

Dear Secretary Williams:

Please refer to Condition #1 of the Environmental Assessment served on May 28, 2004, and the corresponding section 106 condition imposed by the Board in its decision in the referenced docket served June 21, 2004. By letter dated September 9, 2004, BNSF submitted an archaeological report to the State of California, Office of Historic Preservation ("SHPO") with a copy to SEA. In addition, by letter dated March 9, 2005, BNSF submitted an addendum to the original report in which SHPO had requested additional information. Enclosed is a copy of SHPO's response to BNSF regarding its review of the archaeological report and addendum. Importantly, SHPO has expressed its concurrence with the report and its findings. SHPO has specifically pointed out that so long as nine archaeological sites are avoided during project activities, SHPO concurs with the finding of "No Historic Properties Affected."

BNSF will make certain that its contractors will not disrupt the nine sites during salvage activities. Thus, BNSF requests that the Section 106 condition of the National Historic Preservation Act, 16 U.S.C. 470f, be removed.

If you have any questions, please contact me at (202) 347-8667.

Sincerely,

Sidney L. Strickland, Jr.

SLS/js

Enclosure

cc: Richard Batie
Milford Wayne Donaldson, FAIA (SHPO)
Julia Huddleson (SHPO)
Victoria Rutson (STB, SEA)
Phillis Johnson-Ball (STB, SEA)

APR 19, 2005 10:34AM

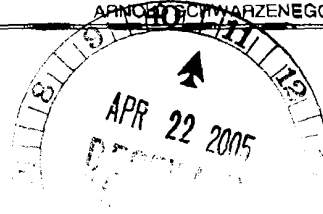
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STATE OF CALIFORNIA - THE RESOURCES AGENCY

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942886
 SACRAMENTO, CA 94296-0001
 (916) 653-6624 Fax: (916) 653-8824
 calshpo@ohp.parks.ca.gov
 www.ohp.parks.ca.gov

ARNOLD SWARTZENEGGER, Governor



April 7, 2005

REPLY TO: STB040407A

Sidney L. Strickland, Jr., Associate General Counsel
 Burlington Northern and Santa Fe Railroad Company
 700 13th Street NW, Suite 220
 WASHINGTON DC 20005-5915

Re: Abandonment of Burlington Northern and Santa Fe Railway Company Railroad Line from Lookout to Hambone, Modoc County, California. (Docket No. AB-6 (Sub-No. 414X))

Dear Mr. Strickland:

Thank you for submitting to our office your March 9, 2005 letter continuing consultation on the above referenced undertaking. You are responding to my December 9, 2004 letter commenting on the previously submitted archaeological report.

You have supplied me with information about the eligibility of six small historic sites for the National Register of Historic Places (NRHP):

CA-MOD-5899/H (BN&SF #4)
 CA-SIS-3905H (FS 05-14-61-467)
 CA-SIS-3906H (FS 05-14-61-518)
 CA-SIS-3947H (FS 05-14-61-574/BN&SF # 10)
 CA-SIS-3948H (FS 05-14-61-575)
 CA-SIS-3949H (FS 05-14-61-572/BN&SF #8)

After reviewing the supplied information and discussing it with your consultant, Trudy Vaughn of Fox and Coyote, I can now concur that these six sites listed above are not eligible for inclusion in the NRHP.

There are still nine sites in the APE that need to be avoided during project activities. Two sites in the APE have previously been determined to be contributing elements to the McCloud River Lumber Company (MRLC) Historic District in October 1988: CA-SIS-1200H (Chippy Spur) and CA-SIS-1623H (Hambone). Seven sites remain unevaluated in the APE: CA-MOD-552H (Whitehorse), CA-MOD-5896 (4-Clump Pine Prehistoric), CA-MOD-5897 (2 Pines Prehistoric), CA-Mod-5898 (Liza Large Flat), CA-MOD-5901H (Lookout Junction), CA-SIS-822/H (Hercules Flakes), and CA-SIS-3950/H (Junction Flakes).

I would like reiterate what was stated in my 12-9-2004 letter. "I concur with STB's determination that the proposed project, as described, will have no effect on historic properties. This concurrence is contingent on STB's description of the proposed project as involving only a discontinuance of rail service on the corridor with no ground disturbing activities beyond the removal of existing tracks and ties. Any additional ground disturbing activity proposed by STB within the project APE will be

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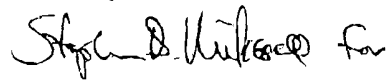
S. Strickland
STB040407A
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considered, for purposes of Section 106, a new undertaking, and will require consultation with our office under 36 CFR 800." Your letter states that "salvage will all be done from the rail line and will cause no new ground disturbance within any of the archaeological sites."

I can now concur with your finding of **No Historic Properties Affected**.

Thank you for the opportunity to comment on this undertaking. If you have any questions about my comments, please contact staff archaeologist Julia Huddleson at (916) 651-6956 or at jhudd@ohp.parks.ca.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Milford Wayne Donaldson".

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer